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H – 802

International Court of Justice

H0802 - 0002

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

H0802 - 0003

I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1946.

Je certifie qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige, dass keine der hierin enthaltenen Dokumente vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Aklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

H0802 – 0004

June 10

Dr.Seyss-Inquart
Defense Exhhibit No. 52

I quote from the book:
"Das Archiv 1938", Page 1593.
Dr.Seyss-Inquart's speech in Linz
on 6 March 1938.

H0802-0005

Seyss-Inquart Defense Exhibit No.52

"Das Archiv 1938", Page 1593
Dr. Seyss-Inquart's speech in Linz on 6 March 1938.

We do not base Austria's independent existence on the peace treaties. Austrian independence means to us to be free to make decisions, to have the right of self determination on one's own power and means the responsibility borne here in the country. Austrian independence rests upon the guaranty of the German people. The state treaties of 11 July and 12 February and the declaration by the Fuehrer and Reich Chancellor make the state of affairs completely clear to the German people. Without interference by Party or Reich offices the Austrians are follow their political road with the clear and unflinching certainty that the German people in Austria will follow only a German roa It is clear that this road is a racially German (volksdeutsch) road...

The mentally, racially German Reich is already a fact toda not only a cultural and mental one, but also a fact of politica importance. And this racially German Reich of common fate, of common cultural accomplishments, but also of the own internal development continues to be our goal... .....Proceeding from the state-

H0802 - 0006

ment that the agreement of 12 February gave the individual National Socialists absolute political and ideological freedom and equal rights with all other groups within the frame work of the other valid laws, Seyss-Inquart issued guiding principles for the conduct of the Austrian National Socialists, for instance, for the application of the German salute, wearing of the swastika and singing of the German national anthems. Furthermore, he announced the establishment of a Volksdeutsche Labor Office in Vienna and the repeal of the prohibition of the national associations such as the German Turnerbund, German School League Suedmark and Aid Organization Langoth.
Seyss-Inquart concluded with the words: "The fundamentals are understood, but the road is difficult. It demands the greatest concentration and perfect seriousness, of all, but the goal is great, the greatest in the life of a people. The goal is the absolute standing together of the two German states for the people's indivisible [illegible], happiness and peace."

I hereby certify that the above excerpt from "Das Archiv 1938" is a true copy from the text in my possession.

(Dr. Gustav Steinbauer.)

H0802 - 0007

Dr. Seyss-Inquart
Exhibit No. 53

I quote from:
"Das Archiv 1938", Page 1600.
Dr. von Schuschnigg's speech
on 11 March 1939.

H0802-0008

Dr. Seyss-Inquart
Defense Exhibit No. 53

"Das Archiv 1938", Page 1600.

On 11 March 1938 at 7:50 PM Dr. Schuschnigg delivered an address over the Vienna radio in which he announced his resignation from the office of Bundeskanzler (federal chancellor).

"This day has put us face to face with a difficult and decisive situation. I have been commissioned to report to the Austrian people on the events of the day. The German Reich government has given the Bundes President an ultimatum limited in time to the effect that a candidate proposed by it be appointed Bundes Chancellor and the cabinet be set up in accordance with the German Reich Government's proposals; should this not be complied with, it is proposed to let German troops march into Austria at this hour.

I state before the world that news claiming to know that in Austria workers' riots had broken out and streams of blood had run, that the government was not master of the situation, that it had been unable to establish order, are invented from A to Z.

The Bundes President has commissioned me to notify the Austrian people of the fact that we yield to force. Because at any price even in this serious hour we do not intend to spill German blood, we have ordered our army to withdraw without resistance and

H0802 - 0009

to await the decision within the next hours*. The Bundes President has entrusted General Schilhawski with the leadership of the army. Further directives to the army will be issued by hi

So in this hour I am bidding good-bye to the Austrian peopl with a German word and a wish from the heart:
"May God protect Austria."

I hereby certify that the above excerpt from "Das Archiv 1938" is a true copy of the text in my possession.

(Dr. Gustav Steinbauer.)

H0802 - 0010

Entered June 10

Seyss-Inquart

Defense Exhibit No. 54

I quote from the book:

"The Truth on Austria."

By Guido Zernattor, 1939,

Longmans, Green and Co.,

Alliance Book Corporation,

New York, Toronto. Page 303.

H0802 - 0011

Seyss-Inquart Defense Exhibit No. 54

Page 303

I now tell Dr. Seyss that I cannot imagine that these tactics and this policy should be originated by him, as this would be completely contradictory to the attitude he has shown so far. He confirms my opinion and tells me that the development is no longer in his hands, but the weight of decision rests with the Party.

I hereby certify that the above excerpt from the book "The Truth on Austria" is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802 – 0012

Seyss-Inquart Defense Exhibit No. 56

I quote from:

"World History in Documents 1937/38.

Frauendienst, 1942, Essener Verlagsa

stalt.

Page 443.

H0802 -0013

Seyss-Inquart Defense Exhibit No.56

Page 443

Article by Staatsrat Jury in the "Wiener Neueste Nachrichten" of 11 March 1938.

.....

This insufficient equality of rights shows itself especially these days in the regulations concerning the carrying out of the "asking the people" and has the effect that no possibilities of control of any kind on the secrecy of the votes and counting of the votes were conceded to the National Socialists. Due to the absence of voters' lists and uniform voters' passes, the door is wide open for election fraud by irresponsible elements; with the lack of measures which could guarantee the secrecy of the vote and with the preliminary election provided for in public plants the go ahead signal is given to election terror the more so as already this evening other votes than the "yes" votes are being called treason against Austria.

For these three reasons: because of the unconstitutional tendency of the wording of the question, because of the illegality of the form of the questionin which endangers peace and work, and because of the lack of equality of rights in carrying out the"asking the people", we Austrian National Socialists must refuse to participate in this "asking the people" not provided for in the Austrian constitution and therefore, to be regarded as originating from private instiative whose results cannot be controlled.

H0802 – 0014

I hereby ceritfy that the above excerpt from "World History in Documents 1937/38" is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802-0015

Dr. Seyss-Inquart

Defense Exhibit No. 57

I quote from Document PS 3254 USA 704 Austrian Question, page 17. By Dr. Seyss-Inquart.

H0802 - 0016

Seyss-Inquart Defense Exhibit No.57

Excerpt from Document PS 3254 USA 704

Dr. Seyss-Inquart: "The Austrian Question."

I told Keppler that this was the very opposite of my opinion and task. From the beginning I had occupied myself with all these things in order to support the observance of a political, i.e. legal road also in the question of the Anschluss. A provisional government never was a legal government and the statement that there were disorders, although these did not exist at all, would allow for the assumption that such strong forces were opposed to the development that even disorders took place." Austrian Question, Page 17.

I hereby certify that the above excerpt from Document PS 3254 USA 704 is a true copy of the text in my possession.

(Dr. Gustav Steinbauer.)

H0802 - 0017

Dr. Seyss-Inquart
Defense Exhibit No.58

I quote from document

PS 2949 USA 76 Page 4

Göering's telephone conversations

of 11.3.1938

H0802 -0018

Dr. Seyss-Inquart

Defense Exhibit No. 58

Excerpts from document PS 2949 USA 76, Page 4

Goering's telephone conversations of 11.3.1938

.....Goering: "Inquart meant that the relationship between Germany and Austria should be put on a new basis?"

Dombrowsky: "What he meant by that? Well, he means indeed that the Austrian independence is preserved but that everything else is settled in a national-socialist way."

Goering: "Well, well, we shall see what happens .....

I hereby certify that the above excerpt from document PS 2949 USA 76, is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802 - 0019

Page 135

Dr. Seyss-Inquart

Defense Exhibit No. 59

I quote from the interrogation of Siegfried Uiberreiter by Lt. Ratcliff 26 I.R. on 1 April 1946, 10:00 a .m.

H0802 - 0020

Dr. Seyss-Inquart

Defense Exhibit No.59

Interrogation of Siegfried Uiberreiter.

The International Military Tribunal has commissioned me to submit a questionaire to you.

Rise, raise your right hand; do you swear solemnly that you will tell the whole truth and only the truth, and not add or withhold anything, so help you God.

Q.: State your full name?

A.: Siegfried Uiberreiter

Q.: What was your official position in the German Cabinet?

A.: I was actually not a member of the German Cabinet but I was Reichstatthalter, Gauleiter of Styria.

Q.: Did the Nazis plan a big demonstration after the 12th of February 1938, despite the fact that a prohibition against holding meetings was issued by Federal Chancellor Schuschnigg?

A.: Nothing was done after the 12th of February.

Q.: No, you have missunderstood the question: Did the Nazis plan to hold a demonstration after the 12th of February; the question refers to the demonstration, not to the plan, do you understand that now?

A.: We did not know that on February 12th the discussion takes place.

Q.: Tell us what do you know about the plan which consisted of holding a demonstration after the 12th of February 1938; whether this plan was already conceived before or not. Your should tell us that also.

H0802 – 0021

A : There was no plan. The situation was the following : On the 12th of February the meeting between Hitler and Schuschnigg had taken place and during the week of the 12th to the 19th of February, information had been given through press and radio as to the content of the discussion. In these announcements it was made known on the 19 February that the national socialistic ideology was permitted.

Q : Did you know this matter personally or do you only repeat what was said to you or what you heard ?

A : Yes, that what I just said I know personally.

Q : Were these demonstrations, a-fter long discussions, called off at the insistance of Seyss-Inquart in return for the promise that he would appear personally in Graz ?.

A : No, the demonstration of the 19th took place; at that time there were demonstra tions in all Austrian cities; those were no Nazi demonstrations. But it is true that a later demonstration should have taken place as a big meeting-at the end of February I believe- which Seyss-Inquart did not wish to have and he told me over the phone that the meeting should not take place and that he would come to Graz. This is true.

Q: Did then Seyss-Inquart, during his visit in Graz, call forth the cancellation of the meeting and did he also instigate the removing of the swastika flag ?

A: Yes, indeed, the demonstration had not taken place on account of his promise of coming some day to Graz, and when he came to Graz there was no demonstration but indeed the city was decorated with flags not because of his arrival but in general and then Seyss-Inquart said, I am an Austrian Federal Minister and I require from you that the removing of the flags be carried out, this was then done.

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Q: Did then Seyss-Inquart speak for approximately 2 hours to leading Nazis about his program?

A: Yes, a conference took place within the frame work of the national-political section of the "Fatherland Front".

Q: What did Seyss-Inquart state concerning the aims of his policy as an Austrian Minister for the Interior and Security?

A: Well, he did not make any programmatical statements or declaration of principle in his capacity as Austrian Minister for the Interior and Security; he told us only that Austria's union with Germany will not be carried out within the scope of the given plan but tha it concerns itself here with the establishment in Austria of the conditions which would create a normalisation of the relationship between Austria and Germany whereby the normalisation of the relationship between the two countries requires as a prerequisite a change of the internal political attitude, namely the settlement with the Nazi opposition. Then he said that the whole matter was quite difficult, since the 19th of February discussions are going on and that the most rigourous discipline is required.

Q: Is it true that after this meeting, Seyss-Inquart departed not from the main railway station but from a secondary one, in order to prevent demonstrations?

A: Yes indeed this is correct; he took the train at Graz-Gratwein, north of Graz in order to prevent demonstrations.

Q: Did Globotschnig give the order, on the 11th of March, that the NSDAP seize the power?

A: This I cannot say because I was not a Gauleiter at that time. I was not the leader of the NSDAP in Styria. I was S.A. Leader and Globotschnig's instructions were directed to the Gauleiter who was in charge of the leadership at that time.

Q: Did the NSDAP seize the power on or about the 11th of March 1938?

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A.: Yes.

Q.: Did this happen with Seyss-Inquart's agreement or against his will?

A.: This, I can not judge; as I have already said before, orders arrived from Vienna to seize the power. This has been directed from Vienna to all lands. But I can not say who issued the orders in Vienna.

Q.: Did Globotschnigg personally tell you something about thi

A.: No; I naturally assume that it must have been Globotschni or Klausner because Seyss-Inquart had no function in the NSDAP.

Q.: After the Anschluss was the leadership of State and Party in the hands of Bürckel, the Reich Commissar for Reunion or of Seyss-Inquart?

A.: No, in the hands of Bürckel, because Seyss-Inquart had at that time the function of a Reichsstatthalter in Austria and the nomination of Bürckel as a Reich Commissary for the Reunion put Seyss-Inquart under his orders since the Reich Commissary represents a highest Reich authority.

Q.: Then you mean that Seyss-Inquart was subordinated to Buerckel?

A.: Yes, indeed, the Reich Commissary was authorized to give instructions to the Reichsstatthalter. Besides, the relations between them were very bad.

Counter - questions.

Referring to your statements with respect to the first quest about the demonstration, the question of the prosecution is the following:

Q.: Were not all these measures a logical consequence of the achievements of February 1938, namely that the defendant Seyss-Inquart [illegible] on February 16th became Minister fo Interior and Security in the Austrian Cabinet.....

H0802-0024

and furthermore that the Berchtesgaden agreement in February 1939 has recognized and authorized the Austrian Nation-Socialists as an organization within the Austrian constitution ?

A.: Yes, and if I may add, this was demonstration neither ordered by any part; nor planned in advance but a really spontaneous one, by a few hundred National-Socialists who in part had been released from concentration camp: and who had been joined unexpectedly and suddenly by tens of thousands of people so that the whole affair became too big for us to control. We were not prepared for that. During the period from the 19th of February to the 11th of March we had been instructed continually by Seyss-Inquart in his capacity of Minister as well as by Klausner who had the leadership of the NSDAP at that time, to prevent these big demonstrations, to suppress them

Q.: Was not the defendant Seyss-Inquart, before the time at which the Nazi-Party has been legalized, i.e. declared as being legal, in February 1938, was he not in constant contact with the illegal Austrian Nazi Party ?

A.: No, I personally have not known Seyss-Inquart until his visit to Graz. In Nazi circles he was considered as non-party member. I think, I do not know for sure, that he joined the NSDAP only when it was legalized. For this reason he personally encountered a strong opposition among the illeg Nazi circles.

Q.: Did the defendant Seyss-Inquart, in an address in Graz, refer to his visi to the Fuehrer on 17th February 1938 and was he not in constant contact with the German Nazi Leaders ?

A.: At that time, yes; in the course of his statements in Graz, he referred to the fact that he has seen Hitler and declared

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that he entered the Austrian Government with Hitler's consent and must co-operate in order that the internal political satisfaction be attained.

Q.: Was he not in constant contact with the German Nazis ?

A.: I do not know exactly, I suppose that later he really was. To what extent he was before, that I cannot say.

Q.: Did not the defendent Seyss-Inquart play a double game, on one side his lega-l position with Schuschnigg's Cabinet and on the other side his co-operation with the Nazi party which was unlawful and illegal at that time and the a-ctivity of which had been then legalised to a certain extent through the efforts of the defendent at Berchtesgaden in February 1938 ?

A.: I do not know to what extent he was in touch with the illegal Nazi party before the 12th of February. I do not know about it because I was not in Vienna. But from the 18th of February the fact of being in contact (with the Nazi party) was not a double game but his duty. Schuschnigg himself had discussions with Leopold, Nazi leader of that time (Leopold was Nazi leader before Klausner).

Q.: Had not all preparations for future revolutionary actions already been made before the 10th of March 1938 and uniform orders issued by the Nazis to all leaders ?

A.: Not at all since up to the time of the actual completion of the Anschluss, we expected that it would not take place. I already stated that we were continually informed that the Anschluss is out of the question.

Q.: Is it true that in the night from March 10th to March 11th, Globotschnigg returned from a visit to the Fuehrer and declared that the Fuehrer had granted full freedom of action to the party and that he will support and protect it - the party- in all matters ?

H0802 - 0026

A.: I have heard this but I do not know because I was not in touch with Globotschnigg and I was not in Vienna - Klausner could possibly give some information about that - but I have also been told so. By giving a free hand authority was issued with respect to internal Austrian affairs only [illegible] and Hitler himself did not think at that time of an Anschluss. I only heard about all this, I do not know the exact facts.

Q.: Did not the defendent conclude his negotiations with the Austrian Government, as he was instructed by the Fuehrer, since Schuschnigg did not accept his conditions?

A.: I do not know all this, this happened in Vienna during the last days.

Q.: Was it the defendent Seyss-Inquart, in his capacity of Reich Governor of Austria between March 15th and May 3rd or was it the Reich Commissar Buerckel who had the authority to issue all juridical and administrative regulations in Austria?

A.: Yes, the Reichsstatthalter in Austria or Seyss-Inquart had indeed - I can not recollect quite well, issued decrees to the Chiefs of the lands - the Landeshauptmaenner as they were called at that time - but above him was the authority of the Reich Commissar. I can remember that at the time I was "Landeshauptmann", I received already decrees signed by Seyss-Inquart. But we know that 'Seyss-Inquart's and Buerckel's conceptions about the administration of Austria were entirely opposite, so that Buerckel centralized the whole Austrian administration more and more in his hands.

L.K.
Signes Leo Katz U.S.Civ.
Interpreter, O.C.C.

H0802 – 0027

I hereby certify that the above interrogation of Siegfried Uiberreiter is a true copy of the text in my possession.

(Dr.Gustav Steinbauer).

HO802 - 0028

I hereby certify that the above interrogation of Siegfried Uiberreiter is a true copy of the text in my possession.

(Dr.Gustav Steinbauer).

H0802 - 0029

Entered June 10

Dr. Seyss-Inquart
Defense Exhibit No. 62

I quote from the book "The truth about Austria" by Guido Zernatto, 1939. Longmans Green and Co., Alliance Book Corporation New-York, Toronto, Page 315.

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Dr. Seyss-Inquart

Defense Exhibit No. 62

Page 315

These are the ideas which affect the leading men of the third Austria on the first day of their state. They have lost their battle because they believed that amongst German men there is a word of honour also for State affairs and for questions concerning the destiny of the whole nation, because they considered as impossible that which now happens. They still confuse the German nation with the National- Socialism. They do not believe that there could be anyone in the German nation who desires to establish a Greater German Reich based upon trea-son and lies towards his own fellow-countrymen.

Minister Seyss-Inquart was of the same conviction, after the decision had already been carried out. When I talked to himfor the last time- it might have been after 1900 hours- he considered himself as Federal Chancellor already, although the Federal President refused now as before to appoint him. He told me that there are two questions on which he will not compromise. The first is Austria's independence and the second, the possibility for the conservative-Catholic element to develop its own life.

I hereby certify that the above excerpt from " The Truth about Austria " is

H0802 - 0031

a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

HO802 – 0032

Dr. Seyss-Inquart
Defense Exhibit No. 63

I quote from the book
"The Truth about Austria"
by Guido Zernatto 1939 Longmans
Green and Co.,
Alliance Book Corporation
New-York, Toronto, Page 325.

H0802 - 0033

Dr. Seyss-Inquart
Defense Exhibit No. 63

Page 325

Anyhow, it is a fact that on the night March 11th/March 12t the German troops crossed the border of the Austrian Federal State and German bombers thunderd over the country, that Austria has been conquered- in my opinion even against Seyss-Inquart and his "Government".

-.-.-.-.-.-.-

I herewith certify that the above excerpt from the book "The Truth about Austria" is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

Page 153

Dr. Seyss-Inquart

Defense Exhibit No. 64

I quote from Archiv 1938
Page 53

Decree of the Fuehrer and Reich Chancellor as of April 23rd 1938 concerning the appointment of the Reich Commissar for the reunion of Austria with the German Reich.

Reich Law Gazette I

No. 61 ex 1938

H0802 – 0034

H0802 - 0035

Dr. Seyss-Inquart

Defense Exhibit Nr. 64

Decree of the Fuehrer and Reich Chancellor as of April 23rd 1938 concerning the appointment of the Reich Commissar for the reunion of Austria with the German Reich.

Reich Law Gazette I, No. 61, ex 38.

Page 53

The Fuehrer decree had the following wording:

Article 1:

I appoint the Gauleiter of the Saar-Palatinate Buerkel as Reich Commissar for the reunion of Austria with the German Reich.

Article 2:

The Reich Commissary has to take care of the political development and of the execution of Austria's governmental, economic and cultural re-incorporation into the German Reich.

Article 3:

The office of the Reich Commissary is located in Vienna. He is directly subordinated to me and must execute his commission, according to my directives, until May 1st 1939. On this day his mandate is discontinued.

Article 4:

The Reich Commissary is entitled to issue directives to the Reich agencies in Austria, to the agencies of Austria and of the former federal states as well as to the agencies of the national-socialist German labor party, to its organizations and to its associated unions in Austria He can exercise supervision over public legal corporations and institutions in Austria.

I hereby certify that the above excerpt from the Archiv is a

H0802-0036

true copy of the original text in my possession.

(Dr.Gustav Steinbauer)

H0802 - 0037

~~Cited~~ Cited June 10

Dr. Seyss-Inquart

Defense Exhibit No. 65

I quote from document
PS 3271 Page 1,2,5,10,11,
14, and 15 USA 700

Letter as of August 19th 1938
addressed by Dr. Seyss-Inquart
to Himmler

H0802 - 0038

Dr. Seyss-Inquart

Defense Exhibit No. 65

Excerpt from document PS 3271, USA 700. Letter a s of August 19th 1939 addressed by Dr. Seyss-Inquart to Himmler.

Page 1:

..... Buerckel reproaches me for having hostile op inions towards the Reich and the party.....

Page 2 :

..... I am aware of the fact, that any single sentence which Buerckel writes, is directed against me with a hostile intention, and signifies an attack .....

Page 5 :

.....May be, that there are no men of the Palatinate in the official Administrations, but any child in the street knows, that the Reich Commissar office, especially in Vienna, rules everything .....

Page 10 :

.....This must be understood that way : Even in the camp of the opponents there are decent and valuable people, due to the fact that they are also people of German blood .....

Page 11 :

..... Thus, if the Catholics did not take an position different from mine and were therefore persecuted, then here is an obvious mistake on the part of the party .....

H0802 - 0039

page 14

..... He did not designate me as his reliable man, but conscled the men with the fact, that he had adjoined to me for supervision his most reliabl man, Skubl .....

page 15

.. If I may state in bhis instance, that as far as it concerned the present political situation, I could literally communic te to Schuschnigg my conversation with the Fuehrer, and that Schuschnigg took not ce of it.

I hereby certify, that the above excerpt from document PS 3271 is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802 – 0040

Dr. Seyss-Inquart

Defense Exhibit No.66

I quote from document PS 1949 Pages 1, 2 and 3.

Report dated December 15 th 1939 of the Office of Statistics of Austria (Ostmark)

Dr. Seyss-Inquart

Defense Exhibit Nr. 66

Report dated December 15th 1939 of the Office of Statistics of Austria,

Excerpt from document PS 1949

Page 1

.... According to the first provisional results of the census of this year, there were, on May 17th 1939, 91,480 full Jews and 22,344 half-Jews of the 1st and 2nd degree in Vienna. In the other Austrian "Reich Gaus" 3,073 full Jews and 4,241 half-Jews were counted. Accordingly, there were all together 121,138 Jews in Austria, 113,824 of them, i.e., 94 per cent, living in Vienna, 3 per cent in Lower Danube, 1 per cent in Styria and less than 1 per cent in the other "Gaus".

Page 2

.... The extent of the emigration of full Jews can be approximately estimated by comparison with the number of Jews by faith, determined during the 1934 census. Hereby it must, however, be considered that in 1934 the term of "Jew by faith" did not cover all full Jews, but that on the other hand a small part of the Jews by Faith were half-Jews of the 1st and 2nd degree. With this reservation one can establish that the number of Jews living in Austria (without the incorporated Sudeten territories), has decreased from 191,528 Jews by faith to 94,384 full Jews.

Page 3

.... According to informations issued by the central office for Jewish emigration, Vienna IV., about 100,000 Jews emigrated from Austria since the time of the accession to power and the census. This

H0802 – 0041

H0802 - 0042

figure corresponds extensively to the above stated decrease of 97,000 Jews since the 1934 census. During the month after the census, the emigration from Austria amounted to 26.000 Jews by faith.

I hereby certify that the above excerpt from document PS 1949 is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802 - 0043

June 10

Dr. Seyss-Inquart

Defense Exhibit No. 67

I quote from document

PS 2237, pages 25,3,27,28,

29,46 and 1

Letter addressed by Buerckel

to Goering, dated November 18th 1938,

H0802 - 0044

Dr. Seyss-Inquart No.67

Defense Exhibit No.

Excerpt from document PS 2233 page 3:

Reich Commissioner for the
Re-Union of Austria with
the German Reich

Wien I, 18 November 1938
Parliament
phone R, 50-5-60

To the
Minister President
Generalfeldmarshal Goering

B e r l i n

Sir !

The action in Vienna which took place during the night from 9 to 10 November was finished up completely by Tuesday.

The following is what happened substantially:

A decree of Dr. Goebbels, the Reichsminister for Propaganda, but above all his speech which he delivered in Berlin on the evening of 9 Oct 1938 as well as the contents of the speech he made in Munich were preludes for this so-called action. Though the hint was some how

H0802 - 0045

indefinite, no different conclusion could be drawn since it said: "The fire-department has to be notified".This order was not given in the first place to the district leaders (Gauleiter), but the lower echelons (Gliederungen) were notified first so that the district-leader had no chance to possibly take counter-measures. Besides there extisted a few orders which were farther reaching than the hint by Dr. Goebbels. Here in Vienna in many cases even the schools were,closed in the morning so that the youth could participate - according to the order" in the demonstrations, like it always happens in such cases, the disorderly elements soon were leading and 40 different places were on fire. Around noontime the Mayor reported that the fire-department was no more in the position to control the situation. Simultaneously, the tumult against the Jewish stores began. That, one may say was the signal for the day and the night of the long fingers. (Translator's note: i.e. for the thieves.) How did the Party act in this situation, and especially the political leaders?

Fieldmarshal, I assure you, that after thorough investigation am able to state today that the political leaders, and that is the district leader and their Kreis-leaders, are the ones who have prevented chaos in Vienna.

Page 25

..... When already in June, I took up the matter and requested that the state government should present a law according to my requirements, it showed a very declining attitude.

H0802 – 0046

Page 27

..... the legal basis for the requisitioning of Jewish real estate and of stocks in the possession of Jews, is provided by the order of the Commissioner for the Four-Year-Plan, which is being prepared by party member Minister Funk.

Page 28

Order

of

General Field Marshal Goering

Commissioner for the Four-Year-Plan

for the Austrian sector.

1. The proceeds resulting from the sale of goods and installations of liquidated Jewish enterprises shall be remitted up to 30 percent, to a contribution account.
2. The proceeds from Jewish property, of which the proprietor can no longer be determined with certainty shall be put to the contribution account in the entire amount.
3. The price control agencies must participate in the determination of prices for the goods. The sale of other objects shall take place on the basis of official appraisals.
4. The Reich Commissioner for the reunion of Austria with the German Reich is charged with the execution of my order.

page 46

In Vienna, the police issued the order to level all Jewish property to the ground Everybody will understand that this order was a derision of all my educational work. I have intervendd against any

H0802 - 0047

violence perpetrated against persons and property, and now these acts of violence against persons and property are commited on orders.

-.

I hereby certify that the above excerpt of document PS 2237 is a true copy of the text in my possession.

(Dr.Gustav Steinbauer)

Filed June 10, 1946

H0802-0048

Dr. Seyss Inquart

Defense Exhibit No. 70

I quote the affidavit of

Dr. Walter Stricker, Austrialia.

H0802-0049

Dr. Seyss-Inquart

Defense Exhibit No. 70

Affidavit of Dr. Walter Stricker, Australian.

German translation of my affidavit of 1 November 1945.

New South Wales.
WALTER STRICKER, residing at Survey street, No. 48, Darlinghurst near Sydney, in the State New South Wales in Australia, declare under oath the following:

1. At the time prior to the month of May 1938 I was Dr. L.L. and practicing attorney at law in Vienna, Austria. I am a Jew and was always decidedly opposed to the Nazis.
2. Since April 1939 I reside in Australia, being at present a naturalized British subject. I have been a member of the Australian armed forces, and have received my discharge.
3. In the course of my professional activities I have frequently met Dr. Seyss-Inquart, who was also a lawyer in Vienna. We became good friends and remained so for considerable time.

H0802 – 0050

He was in the position to do me favors and actually did help me. On my part I had few opportunities to reciprocate in kind.

4. The circumstances under which Dr.Seyss had been assighed to the post of the Austrian chancellor of the Bund are little known to th Austrian people, though personally I could not say anything about it. But I strongly believe that these circumstances put Dr.Seyss in a more favorable light than usually supposed.

5. After the Anschluss my personal position, in view of the anti-semitic wave gripping the country, became desperate. I lost all my clients and like other Jews was subjected together with my family to blackmail and threats of violence and of internment in a concentration camp.

6. Consequently my dearest wish was to leave the country, but in r endeavors to obtain an emigration permit I met with insurmountable difficulties. The situation became so bad and my fears for my family's safety so great that I wrote a letter to Dr.Seyss, who at that time was the Reichs Statthalter of Austria. In that letter I asked for his assistance.

7. Sometime later a man who did not give his name but said he were from the police, phoned me and informed me that I should use a cod

H0802-0051

consisting of two letters and two figures. I was requested to write down the symbol and told that this code would serve me a pass everywhere. The man who showed me told me that this information had been given me on the ground of the letter I wrote to Dr. Seyss.

8. Following this instruction I made use of the code symbol and by doing so all my difficulties with the tax authorities, with the police and other official agencies had vanished. I obtained the emigration permit for my family and myself in a few days.

9. Soon after I met Dr. Seyss by Chance in a quiet part of a Court building. Under ordinary circumstances he would not have dared to be seen talking to a Jew, but since nobody was present, he spoke to me, asking whether my emigration papers were in order. I affirmed it and told him that I expected a visa to a foreign country and for transit visas through France and Switzerland. I inquired about his health and remarked that he did not look happy. He said that recently he had asked for the second time for his resignation but that it had been refused. Then someone approached and we separated without a further word.

H0802-0052

10. On 31 May 1938 I received a transit visa through Switzerland from the Swiss authorities and intended to leave Vienna the following day. About noon the same day, in my absence, my office was visited by a police officer, who asked my secretary of my whereabouts and whether we were ready for our departure. He instructed her to tell me not to come to my office any longer and to leave Vienna immediately, in a few hours at the latest. Consequently I left Vienna with my family on the same day and the next morning I read in a newspaper in Zurich that approximatively two thousand doctors of all faculties were arrested and sent to concentration camps.

11. I am convinced, that the code symbol and the warning received on 31 May 1938 had been given by order of Dr. Seyss, that he ran a grave danger in helping me, a Jew and that he, if caught in abetting the emigration of a Jew, subjected himself to the risk of being interned in a concantration camp or to anneven sadder fate.

12. After my departure from Austria I heard of other cases in which Dr. Seyss gave similar help to Jews and that in May 1938 when persecutions of Jews became particularly severe, he protested to the Gauleiter Buerckel

H0802-0053

I am not in a position to speak about the conditions, insofar as they concerned the activities of Dr. Seyss, after I left Austria, but I would like to confirm facts reported here, as a point of departure as to his attitude and in his way of handling things at that time.

I certify herewith that the above copy of the affidavit of Walter Stricker, Australian conforms literally with the text beforeme.

(Dr. Gustav Steinbauer)

H0802-0054

Cont'd June 10

Dr. Seyss-Inquart
Defense Exhibit No. 71

I quote from the "Archives of 1938"
page 1474

H0802-0055

Dr. Seyss-Inquart
Defense Exhibit No. 71

Page 1474
Slovakia's demand for autonomy.
No coalition with the government.

According to information from the Slovakian Popular Party, the party's leader, Father Hlinka, who had lengthy discussions with the Slovakian Minister President Hodza about the Popular Party's entry into the government, declined any participation in the administration without the fulfillment of the demand for autonomy in the spirit of the Pittsburg agreement.

In the agreement of 13 May 1918, concluded in Pittsburg by Masaryk with the representatives of American Slovaks, which is not acknowledged by the Czechs as legally binding, there had been promised to the Slovaks for the projected future Czechoslovakian State, a parliament of their own and the use of the Slovakian language as the principal one in the Territory of Slovakia. Father Hlinka declared on 10 February at a regional conference of the Popular Party in Rosenberg that he is going to present to the government in Prague, in connection with the 20th anniversary of the Czecho-Slovakian Republic, the original manuscript of the agreement received from America.

-.-.-.-.-.-.-.-

I herewith certify that the above copy of the excerpt from "Archives 1938" conforms literally with the text before me.

(Dr. Gustav Steinbauer)

Dr. Seyss-Inquart

Defense Exhibit No. 72

I quote from the document

No. D. 571, USA 112.

Translation of paragraphs 2 and 4.

Official Report to Viscount Halifax

of 21.3.1939.

H0802-0056

Exhibit USA 112

Translation ofexcerpts from
document No.D 571
Office of US Chief of Counsel

Dr.Seyss-Inquart No.72
Defense Exhibit

Official Report to Viscount Halifa x of 21.3.1939.
2. On M.Sidor's return to Bratislava, after he had been entrusted with the Government in place of Mgr.Tiso, Herr Buerckel, Herr Seyss-Inquart and five German generals came at about 10 p.m. on the evening of Saturday, the 11th March, into a Cabinet meeting in progress at Bratislava, and told the Slovak Government that they should proclaim the independence of Slovakia. When M.Sidor showed hesitation, Herr Buerckel took him on one side and explained that Herr Hitler had decided to settle the question of Czecho-Slovakia definitely. Slovakia ought, therefore, to proclaim her independence because Herr Hitler would otherwise disinterest himself in her fate. M.Sidor thanked Herr Buerckel for this information, but said that he must discuss the situation with the Government at Prague.
4. Mgr.Tiso attended there, and said that he had received a telegram by the hand of Herr Buerckel inviting him to go at once to see the Fuehrer in Berlin. He had to accept this invitation because Herr Buerckel had informed him that otherwise the two German divisions on the other side of the Danube would occupy Bratislava and the Hungarians would be authorised to seize not only Ruthenia, as had already been agreed to by Berlin, but also Eastern Slovakia. Mgr. Tiso explained that he proposed to leave by train early Monday morning and did not, therefore, expect to be back before Tuesday evening. This would have given time for Prague and Warsaw to be consulted, but so soon as Mgr.Tiso arrived in Vienna that day in preparation for an early departure the following morning, he was escorted into an aeroplane and informed that he was to proceed in it to Berlin at once, as Hitler awaited him.

H0802-0057

H0802-0058

Dr. Seyss-Inquart

Defense Exhibit Nr. 73

I quote from the document USSR 223, excerpts from the diary of Hans Frank.

Entered June 10

H0802-0059

Dr.Seyss-Inquart

Defense Exhibit Nr.73

Excerpt from the document USSR 223, excerpts from the diary of Hans Frank.

Page 14

.....Reichsminister Seyss-Inquart, as my deputy has received his functions from me. In the first place he is my deputy in case of my absence or impediment. He has been already using this power of representation. Besides he has to carry out special commissions in my name which I empower him with on given occasions. I entrust him with complicated cases, with the request to elucidate the matter and report to me on it.

Page 30

.....For that which happened on 11.Oct.1939 I bear the responsibili' no matter what happened, how and through whom it happened. I bear the responsibility and do not shift it on to anybody else. And so I would like to emphasize that this responsibility has to be borne. In those cases here and there where it came to so to speak, humanly regrettable events, we must bear the responsibility all the more.

I certify herewith that the above copy, an excerpt from document USSR 223 conforms literally with the text before me.

(Dr.Gustav Steinbauer)

H0802-0060

Dr. Seyss-Inquart

Defense Exhibit Nr. 74

I quote from the document PS 2278

USA 706, pages 2,3,4,5 and 15

Report on Seyss-Inquart's tour

to Frank. 17-22 Nov. 1939.

Dr. Seyss-Inquart
Defense Exhibit Nr. 74

Excerpts from document PS 2278 US. 706

Seyss-Inquart report on his tour to Frank of 17-22.11.1939.

Official tour of Reichsminister Seyss-Inquart in the districts of Warsaw, Lublin and Radim from 16 to 22 November 1939.

Page 2

Reichsminister Seyss-Inquart announced then that a considerable sum will be assigned for the productive support of the unemployed. This sum could be used for the construction or maintenance of buildings needed by the administration.

Page 3

Thereupon Reichsminister Seyss-Inquart interposed the question as to which way it would be possible to influence the price and goods distribution system by establishing monopolies for important goods like salt, sugar, coal gasoline and tobacco. With these wares in hand and with the possibility of selling them to peasants at a fixed price, they would also be ready to sell their products at corresponding prices in order to obtain goods urgently needed by them.

Page 4

However it is not yet a matter of procuring a higher standard of living for the Poles, but only of insuring the minimum for their existence.

H0802-0061

H0802-0062

Of course for the present, wages of 9 zlotty a week to a "Pflichtarbeiter" are still out of question.

Page 5

For the maintenance of the Poles the Polish Social self-help should be reestablished, and continued by persons who formerly directed it. Its leader should be provided with cars, trucks and gasoline against payment and the organization should be permitted to collect voluntary contributions in the country. The confiscates properties in the banks in amounts of some 9 million Zlotty should be at the disposal of the organization.

I certify hereby that the above copy of the excerpt from document PS 2278 U.S. 706 confirms literally with the text before me.

(Dr. Gustav Steinbauer)

H0802-0063

Filed June 10, 1946

Dr. Seyss-Inquart

Defense Exhibit No. 75

I quote from the affidavit of the Counsel of the Court of Appeals Rudolf Fritsch, of 24.1.1946

H0802-0064

Seyss-Inquart Defense Exhibit No. 75

Affidavit.

of Kammergerichtsrat (Judge in the Court of Appeals in Berlin) Rudolf Fritsch.

Personal data: My name is Rudolf Fritsch, born in Berlin on 11 June 1904. My occupation is that of judge in the Court of Appeals in Berlin. I have an identification card (Kennkarte) issued by the Chief of Police in Leipzig on 11 June 1945, No. F. 786 and a registration card issued by the American Military Government.

Re: Case: Effective 1 May 1941 I was transferred from the Reich Ministry of Justice, in which I had worked from 1927 until that day as a district court judge, and assigned to the office of the Reich Commissioner for the Occupied Netherland Territories in The Hague. I had been requested to come to the Netherlands as an expert in clemency law.

I worked from 1 May 1941 until 31 December 1943 as Chief of the Clemency Division, a subdivision of the main division Justice in the commissariat general administration and Justice.

During the time of occupation, in about September 1940 criminal courts for civilians in the Netherlands were set up to deal with all criminal acts affecting the occupying power insofar as they did not concern military or police matters. For these criminal courts for civilians there existed

H0802-0065

German Prosecution Office headed by a German Generalstaatsanwalt (public prosecutor at the level of a court of appeals). The followin, courts were functioning: A German Landesgericht as a court at the lowest level composed of 3 judges holding court individually and the German Obergericht consisting of one or two senates, composed of three judges each,which under certain conditions also acted as a special court at the lowest level.

In addition to these above-mentioned courts there existed the usual Wehrmacht courts and the SS and Police Court X in The Hague. In accordance with a Fuehrer decree of 6 January 1941 the right of clemency in criminal cases on which sentence had been passed by the Landesgericht and Obergericht was administered by the Reich Commissioner who for this purpose used the main division Justice, subdivisi clemency division.

The Reich Commissioner's right of clemency comprised furthermore all sentences of the Netherland criminal courts. But it did not apply to sentences by the military courts and those by the SS and Police Court in The Hague.

For times of crises military court martials were designated which were to be composed of police judges. The Reich Commissioner had reserved himself the right of clemency with regard to the sentences by these courts.

The office of the Higher SS and Police Chief was an SS office and such an office of the Reich Commissioner, therefore, had a double position. SS Lieutenant General Rauter who was the head of the office, was Higher SS and Police Chief and Commissioner General for security.

As far as I could judge these things from my office, the latter received

H0802-0066

his orders and directives from the higher SS offices (Reichsfuehrer SS and Reich Sicherheits Hauptamt Berlin). The Reich Commissioner had no right to intervene as regards these orders. The Higher SS and Police Chief claimed the right for himself to be exclusively responsible toward the Reichsfuehrer SS for the police security of the country. In this matter he went so far as to claim for himself the right to issue decrees and to use this right, too. In this manner he took many anti-Semitic measures.

In performing his right of clemency the Reich Commissioner proceeded from the principle that this was one of the most distinguished rights of the head of a state and that it was especially suitable for creating good and close relationship between the Germans and the Dutch. Therefore, in the beginning he himself made the decision in all cases on the basis of case reports submitted to him and a clemency proposal of the clemenc division. After about 2 - 3 months he delegated internally the exercise of the right of clemency to the chief of the clemency division with the following exceptions:

1) cancellation of proceedings,
2) decision in case of death sentences,
3) decision in fundamental questions,
4) decision in individual cases when it was important on account of the perpetrator's person, the grave nature of the act, the politics importance of the case or the sensation cause among the public.

I had to submit or report all these cases to him. No death sentence was executed where the clemency questior was not examined officially even if a petition for clemency had not been made.

H0802-0067

As far as the Reich Commissioner's manner of work is concerned, I noticed th he always worked very carefully on all documents submitted to him (copies of conviction, clemency petition, opinions of the court, of the prosecution, of the prison warden, of the clemency division, of the main division Justice and of the Commissioner General of Administration and Justice) and he did it personally. It often took him weeks of grappling with himself before he could make a decision on life and death. The documents showed underlined passages and marginal notes made with a green pencil. It also happened that he wished further investigation before he made a decision. The number of death sentences submitted by me was not great.

I had the definite impression that the Reich Commissioner was fully aware of his responsibility and did not deal with this activity in a superficial way despite his otherwise great burden of work. It seems to me that special attention must be called to one case:

At a trial of Communists in 1943 before the Volksgerichtshof (Supreme People court) the Reich Minister of Justice exercising the right of clemency, had requested an expert opinion by the Reich Commissioner. Since the acts had been committed approximately in the years 1936-1937, an execution of the death sentence did not seem justified to me and also not to the Reich Commissioner after a report on the case had been submitted to him. In order to broach his opinion emphatically at the Reich Ministry of Justice, I had to take at that time an official trip to Berlin from the Netherlands and present the matter there.

I submitted to the Reich Commissioner through channels a report from which he saw the volume of my work and the number of the approved and rejected clemency acts. The statistics were kept very carefully by me personally. On the average, the clemency was granted in 25-30 % cases in which clemency petitions were submitted. In my opinion this was milder than in the Reich. I was repeatedly given to understand that this line absolutely complied with the Reich Commissioner's wishes. I cannot

H0802-0068

recall a case where the Reich Commissioner intervened with the regular administration of penal justice for political reasons by cancellation of proceedings. Work was done in accordance with the principle approved by the Reich Commissioner that every writer should receive a decision on his petition as soon as possible. The result was that the clemency division soon occupied a trusted position in wide circles of the Dutch people. This was shown not only byrform and contents of petitions on all kinds of matters which did not fall under the jurisdiction of the division at all, but also by numbrous letters of thanks. As the collaboration with the Netherland authorities of justice had shown that they could be ort ted, the Reich Commissioner gradually delegated in the main the right of clemency to the Dutch minister of justice. Fro the great amount of mail which came in and which did not concern clemency matters only, I repeatedly saw that police actions had been staged by the Gestapo by which the regular administration of justice was eliminated or was to be eliminated. In such cases I collected materi and used it to take action in order to place the persons involved before regular courts for judgment of their cases. Indeed, I succeeded with such action. This was proof to me that the Reich Commi. oner was an opponent of the Gestapo's wil police methods and an adherent to the regular administration of justice.

Rudolf Fritsch

I certify that the above affidavit of the Kammergerichtsrat Rudolf Fritsch was made in my presence.

Dr. Hans Laternser, Attorney-at-Law.

H0802-0069

I hereby certify that the above affidavit of Kammergerichtsrat Rudolf Fritsch is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802-0070

Exhibit June 10

Seyss-Inquart

Defense Exhibit No. 76

I quote from "Four Years in the Netherlands" by Seyss-Inquart, Volk und Reich Verlag, Amsterdam, 1944, Page 144.

3430 - PS, USA 708.

H0802-0071

Seyss-Inquart Defense Exhibit No.76

Page 144

..... I shall always act as a National Socialist, that I promise you all. But that does not mean that I shall force National Socialism on to even one single person. National Socialism is a matter of inner conviction.

Now here there are two groups of organizations. One is the group of political organizations in the case of which I attach importance to the demand that each and every member be led to National Socialism. But these are absolutely voluntar organizations and if in their realm compulsion is applied somewhere, then only compulsion by some clergymen in order to get the people out of the National Socialist organization. In addition, there are vocational organizations. Those are the ones which have to fulfill certain tasks which are the result of today's necessities and which belong to the respective vocational groups. Here it is of no consequence as to which views the individual man holds, as long as he fulfills his task in his vocation.

I hereby certify that the above excerpt from the book: "Four Years in the Nether lands" is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802-0072

Read June 10

Seyss-Inquart Defense Exhibit No. 77

I quote from Document F 224 D, II, (R.F. 362)

Report of the Netherlands Delegation,

Pages 3 and 5.

Report of Kriminalkommissar Munt.

H0802-0073

Dr. Seyss-Inquart
Exhibit No. 77

F 224 D II
Report of Kriminalkommissar Munt.

Page 3

.....In my opinion it is very likely that General Christiansen demanded the maximum number of victims to be executed. Christiansen spoke to Rauter (an impulsive and tactless man,) of numerous reprisals and the latter on his part applied pressure upon the B d S (Dr. Schoengartner);...

Page 5

..... These were often prisoners who had already been sentenced to death by the Higher SS and Police Chief.
Reprisals as punishable acts were a matter for the police. After August 1944 and in accordance with an order of the Fuehrer these reprisals were interpreted in the manner that a number of Dutchmen were arrested for entirely different motives and that they were shot on account of acts of sabotage and murder attempts.

-.-.-.-.-.-.-.-

I hereby certify that the above excerpt from Document F 224 D, I. Report of the Netherlands Delegation is a true copy of the text in my possession.

(Dr. Gustav Steinbauer.)

H0802-0074

Read June 1, 50

Seyss-Inquart

Defense Exhibit No. 78

I quote from Document PS 1726

USA 195, Pages 2,3 and 6

Report of the Netherlands

Government, Central Bureau for

Statistics.

H0802-0075

Dr. Seyss-Inquart
Defense Exhibit No. 78

PS 1726 USA 195 Report of the Netherlands Government (Central Bureau for Statistics).

Page 2

.....Workmen who refused(relatively few were prosecuted by the "Sicherheitsdienst" (SD).

Page 3

.....Apart from that, the measure was not very successful, Certain German authorities seem to have resisted its execution, because many former members of the armed forces received exemptio Others went underground.....
The result was that in the last month of 1943 and in the greater part of 1944 relatively few persons were deported....

Page 6

.....Until the end of 1944, the method of transportation for deportees was bdarable....
The one who reported for the manpower mobilization in January 1945, enjoyed improved transportation facilities, i.e. almost the whole journey by rail, although only in freight cars.....

-.-.-.-.-.-.-.-

I hereby certify that the above excerpt from Document PS 1726 USA 195 is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802-0076

Wed June 11

Dr. Seyss-Inquart
Defense Exhibit No. 79

I quote from "Four years in the Netherlands"
by Dr. Seyss-Inquart, Volk & Reich Publisher
Amsterdam 1944, page 57
PS 3430 USA 708.

H0802-0077

Seyss-Inquart

Defense Exhibit Nr.79

Page 57

.....The Jews are no Hollanders to us. They are the enemies with whom we can neither arrive at an armistice nor a peace. This applies here for the time of the occupation, if you wish. Do not expect any decree from me which stipulates that, outside of the police regulations. We will beat the Jews wherever we find them, and whoever goes with them will have to take the consequences. The Fuehrer declared that the Jews have had their day in Europe, and therefore they have had their day. The only thing we may talk about is the creating of a tolerable transitory condition by maintaining our stand that the Jews are enemies and thus applying every precaution customarily observed against enemies. As regards the time when Germany will not be here as an occupational force to maintain order in public life, the Dutch people will have to decide for themselves whether they want to endange the conradely union with the German people for the sake of the Jews.....

I certify herewith that the above copy of an excerpt from the book "Four years in the Netherlands" is a true copy of the text before me.

(Dr. Gustav Steinbauer)

H0802-0078

Seyss-Inquart

Defense Exhibit Nr.80

I quote from document RF 132.
Report of the Economy officer
at the WVSH on October 9,1944.
pages 1 and 3

H0802-0079

Seyss-Inquart

Defense Exhibit Nr. 80

I quote from document RF 132.
Report of the Economy officer
at the WIBH on October 9,1944.
pages 1 and 3

H0802-0080

Dr. Seyss-Inquart Defense Exhibit No.80

Page 1.

As the first and most important defense economy object in the Netherlands, the Phillipps-plants in Eindhoven has been started. Under great difficulties, lack of explosive material, lack of skilled workers to handle the explosives, threatening mechanized enemy attacks and the frequent absence of the industrial management occasioned by the situation, we still succeeded in setting up Z-preparations before the penetration of the enemy, and when the enemy broke into Eindhoven, in effectively destroying this important plant of the Continent in the sphere of radio-pipe and incandescent lamp manufacture and means of reporting service, inasmuch as the most valuable metal and the special machines have been transferred beforehand by the effort of Fwi Kdo 7.

Page 3

Further difficulties turned up when due to enemy paratrooper units in the Nijmegen-Arnheim area, the Hollanders believed the victory of the Allied to be near, and following the adversary's call on the Oranje-radio increased their railroad sabotage, the railroad employees held a general strikes and thus paralyzed the entire railroad transportation. The increasingly stiffening attitude of the civilian population also hindered the action of evacuation as it occasion special difficulties.

H0802-0081

Seyss-Inquart Defense Exhibit No.205

I certify herewith that the above copy of an excerpt from the document RF 132, is a true copy of the text before me.

(Dr. Gustav Steinbauer)

H0802-0082

Seyss-Inquart Defense Exhibit No.81

I quote from the document

PS 3003, USA 196, pages 2, 3 and 4.

Report by Lieutenant Haupt

"The Defense economy situation in the Netherlands."

H0802-0083

Dr. Seyss-Inquart
Defense Exhibit No. 81

PS 3003 USA 196 Report by Lieutenant Haupt on the defense economy situation in the Netherlands.

Page 2.....There is a difficulty in the whole situation because the Reichscommissar Seyss-Inquart is still in the area even though he withdrew almost entirely.....

Page 3.....Since the strike of the Dutch railroads continues, as does the strike of the seamen, we can only depend on our railroads. And this of course, to a limited extent only.

Page 4.....The evacuations are carried out currently. We have evacuated two cities: Arnheim and Tiel. The matter concerns removal of textile goods from the deserted private dwellings. This is a chapter in itself. Situations arise which border on plunder which necessitate much military supervisory personnel, which the police can supply to a very limited extent only.

-.-.-.-.-.-.-.-.-

I certify herewith that the above copy of an excerpt from the document PS 3003 USA 196, is a literal reproduction of the text before me.

(Dr. Gustav Steinbauer)

H0802-0084

Dr. Seyss-Inquart
Defense Exhibit No. 82

I quote from the document
USSR 170, page 113 and 122

Meeting with the German Service Posts of the occupied countries on August 6, 1942.

H0802-0085

Seyss-Inquart

Defense Exhibit Nr. 82

Meeting of August 6, 1942

Page 113

Goering:

Before the gateway to the Ruhr district lies the rich country Holland. Right now it could send much more vegetables into this harassed area than it has been sending.

Page 122

.....

Netherlands. Bread grain 40.000, forage grain 45,000, meat 35,000, fat 20.000, potatoes 85.000, legumes 45,000, sugar 30.000, cheese 16.000, vegetables 1 million, vegetable seeds 10.000.

(Shout by Seyss-Inquart)

One million ought to be easy for them. So take the whole harvest. They can change off: somewhat less vegetables, somewhat more fat. It is the same to me.

I certify herewith that the above copy of an excerpt from document USSR 170, is a true copy of the text before me.

(Dr. Gustav Steinbauer)

H0802-0086

Dr. Seyss-Inquart

Defense Exhibit No.83

I quote from the document PS 1726,

USA 195, E 5; I

Pages 1,2,3.

Report of the State Supply Office

regarding the famine 1944-45.

H0802-0087

Dr. Seyss-Inquart

Defense Exhibit No.83

Report of the State Supply Office regarding the famine of 1944-45.

Page 1

Since the beginning of summer 1944 there existed regulations based on an order of the German civil authorities, seemingly for military reasons.

Page 2

Meanwhile just at the moment when the Central Supply Office for Armaments began to expand its activities, the frost arrived, paralyzing transportation and provisioning in the West....

Page 2

War activities in the North and East meanwhile totally paralyzed this transport until the complete liberation of the country.

Page 3

The transport of food from North and East to the West of your country encountered great difficulties due to German confiscations and to the transport difficulties caused by lack of coal supplies.

I certify herewith that the above copy of the excerpts from document PS 1726, USA 195, E. 5; I, conforms literally with the text present.

(Dr. Gustav Steinbauer)

H0802-0088

Dr. Seyss-Inquart

Defense Exhibit No. 84

I quote from the radio speech of Reichscommissar Dr. Seyss-Inquart on 7 Jan. 1945

Published as booklet under the title "What Now?"

H0802-0089

Dr. Seyss-Inquart
Defense Exhibit No. 81

Page 4

I am basing my observations on the situation as it existed at the turn of the years 1943 - 1944 and during the first months of 1944, i.e. after an occupation of almost four years' duration.

Food supply.

In order to revert to the matter most important at present, I recall the fact that at that time the weekly procapita ration of the population consisted of 1800 gr. bread, plus 70 gr. flour, 150 gr. food stuffs, 250 gr. household sugar, 125 gr. marmelade, 125 gr. meat, 146 gr. butter, 50 gr. che about 3 kg. potatoes and 1.3/4 liter of milk.

....That these conditions have thoroughly changed does not need any reassertion.

....We all are aware that the derouting of the means of transportation in September of 1944 brought a brutal end to the exceedingly strained and painstakingly planned food supp In this connection one should not always think of the rail-road strike only but also of the almost abrupt disappearanc of inland navigation. While some persons may think that thi is a question of the effects of a patriotic sentiment, othe may point out not unreasonably, that there are responsibili-ties which under certain circumstances

H0802-0090

must impose certain limitations upon patriotic passions, because after all the biological conservation of a nation always belonged to the noblest tasks of a responsible leadership or political guidance.

... First of all the Reich, due to the strained transport situation, caused by the French campaign and its effects and to a still greater extent by air raids in the Western Part of the Reich proper, was unable for the time being to carry out the planned supply of food. To that was added the destruction of means of tr transportation in the Netherlands, forcing the Armed Forces to secure in the country itself all the masses of food supplies, required for the maintenance of the troops...

A direct loss of food stores, however, was incurred through enemy action when th islands of Walcheren and Sued-Beveland were lost which had been of special importance to the province of South Holland; Walcheren was completely destroyed in that action and additional islands were lost to the normal supply traffic.

Page 6

The realization that the traffic situation is of decisive importance primarily for the transport of these food supplies, considered even by the occupying forces as in no way sufficient, gave cause probably late in October or early in November to the issuance of an order to the section "Verwoerwezen" of the "Water Staatsministerium" to work on these matters. The result was that the head of this section went into hiding and the entire action suffered a delay of at least two weeks irretrievable in regard to winter provisioning, until persons responsible for the agricultural sector in association with representatives of large consuming centers took the matter in hand.

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In order to obtain the needed provisions from the Northeastern part of the country we need some additional 16.000 – 25.000 tons of inland shipping tonnage weekly and as the loading requires some time we have figured out that by operating an inland fleet of about 100.000 - 150.000 tons we would be able to insure the delivery of the food supplies at our disposal. No one doubts at all that this shipping tonnage is actually available.

.....To do everything possible that could be done on their part, the involved agencies of the occupying forces, military as well as civilian have declared that the ships which are or will be used for that purpose and are provided with appropriate certificates, will not be claimed by the occupying forces. In that way everything was done, what could be done by us, and when today a Dutchman sees a ship hidden in some side canal he may well ask himself, whether this ship and her skipper were not also guilty in that not all available food supplies arereaching Holland.

-.-.-.-.-.-

I certify herewith that the above copy of excerpts from Dr. Seyss-Inquart's broadcast on 7.1.45 is a true copy of the text in my possession.

(Dr. Gustav Steinbauer)

H0802-0092

Dr.Seyss-Inquart
Defense Exhibit No.85

I quote from the broadcast of Reich Commissar

Dr.Seyss-Inquart on 7.1.1945

Published in the form of a booklet under the title

" What now ?"

H0802-0093

Dr. Seyss-Inquart

Defense Exhibit No.85

Health conditions

In elucidating the question of how the time of occupation affected the Dutchmen, it is interesting to examine the health statistics, established by the Netherland Health Council, and to compare them with the statistics of 1914-1918. At that time the mortality was computed pro 1000 capita, rising from 12,4 to 13,1 and reaching in 1918 due to an influenca epidemic, 17,1. During the time 1940 - 1943 the corresponding figures are showing an increase from 9,5 to 10. Thus one could say that under German occupation the mortality figures were surely no more unfavorable than under their own administration....

Increase of population.

There are however figures, showing with irrefutable clarity whether the population in a given situation is looking to the future with confidence or whether it cannot see any prospect in it. That is the number of marriages and births. During the occupation marriages have increased and the birth rate which in the first world war from 1914 to 1918 fell almost to a half, had risen from 1940 to 1943 inclusively from 20,8 pro thousand of the people to 23 in 1943. Corrspondingly increased also the birth rate. In the year of 1943 the Netherland population surpassed the total number of 9 million.

H0802-0094

I certify herewith that the above excerpts from Dr. Seyss-Inquart's broadcast on 7. 1. 45 are true copies of the text before me.

(Dr. Gustav Steinbauer)

H0802-0095

Dr. Seyss-Inquart

Defense Exhibit No. 86

I quote from document PS 1726, USA 195, Pages 1 and 2

Declaration of the Netherland Government regarding German War Crimes in the Netherlands.

H0802-0096

Dr. Seyss - Inquart

Defence Exhibit No.86

Page 1

... ... On 9 or 10 April, however, there appeared upon the scene German officers who ordered to speed up the work.....

Page 2

.... . It is difficult to decide whether the German ehrmacht comitted this act of destruction for military reasons. There have been rumors they feared parachutists as the Vlieringer Sea was particularly suitable for that purpose .....

Page 3

....that, though at the moment of destruction urgent military reasons seem to have had their influence, the German High Command regretted the development of matters .....

-.-.-.-.-.-.-.-.-.-.-.-.-.-

I certify herewith that the above excerpt from document [illegible] is a true copy of the text [illegible].

(... [illegible])

H0802-0097

Dr.Seyss -Inquart

Defense Exhibit No.87

I quote from document PS 1726, USA 195, pages 2 and 4.

Declaration of the Netherland Government regarding

German War Crimes in the Netherlands.

H0802-0098

Dr. Seyss-Inquart

Defense Exhibit No. 87

Page 2

In this persecution the SD was supported by the police, who were connected with the Labor Offices and consisted of members of the N.S.B. and the like.

Page 4

In a later "Proclamation" which was published around Christmas 1944 it was announced on the German part that these police-raids took place not only for the mobilization of labor forces, but also to hinder the participation of the civilian population in fights, as they occurred in France and Belgium.

-.-.-.-.-.-.-.-.-.-

I certify herewith that the above excerpt from document PS 1726, USA 195 is a true copy of the text before me.

(Dr. Gustav Steinbauer)

We,
Annemarie C. Catlin, Bert Stein, Theodore Lit,
hereby certify that we are thoroughly conversant with the English and German languages, and that the above is a true and correct translation.

30 May 1946.

Annemarie C. Catlin
X 046172

Bert Stein
B 210875

Theodore Lit
X 046185